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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,270	01/24/2002	Janusz M. Kucharski	100.323US01	8559
34206	7590	12/03/2004	EXAMINER	
FOGG AND ASSOCIATES, LLC P.O. BOX 581339 MINNEAPOLIS, MN 55458-1339			DINH, TUAN T	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,270

Applicant(s)

KUCHARSKI, JANUSZ M.

Examiner

Tuan T Dinh

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 8-10, 14, 15, 19-21, 25 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11-13, 16, 17 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 7, 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Applicant's Appeal Brief filed on September 13, 2004 is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6, 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Akiba et al. (U. S. Patent 6,353,540) as recited in the record.

As to claim 1, Akiba et al. discloses an electronic device as shown in figures 33-34 comprising:

a circuit board (23, figure 34-column 18, line 33);

a first circuit (26, column 18, lines 50-51) disposed on a first side (a top side) of the circuit board, the first circuit connected to a first ground plane (15, column 18, line 52) of the circuit board;

a second circuit (28, column 18, line 61) disposed on a second side (a bottom side) of the circuit board, wherein the second side is opposite the first side, the second

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circuit connected to a second ground plane (21, column 18, line 63) of the circuit board; and

wherein the first and second ground planes (15, 21) respectively lie in different planes (see figure 34) of the circuit board (23) and are electrically interconnected by a conductive trace (figure 34 shows a circuitry electrically connected the first and second grounds 15, 21 through a resistor Rc) disposed within the circuit board.

As to claims 2-4, Akiba et al. discloses the first circuit (26), which is a switch mode power supply, a forward-type switch mode power supply, or a flyback-type switch mode power supply, see figure 34, column 18, lines 50-51.

As to claim 6, Akiba et al. discloses the first circuit being adapted to power the second circuit.

As to claims 11-13, Akiba et al. discloses the device as shown in figure 1 the circuit board comprises two or more layers (column 18, line 33) disposed between the first and second sides, and the first ground plane (15) is disposed on one of the two or more layers (S1, V1, and S2) and the second ground plane (21) is disposed on another of the two or more layers (S3, V2, and S4).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 5, 16-17, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiba et al. ('540) in view of Hirashiro et al. (JP 406069680A, hereafter JP).

As to claims 5, and 16-17, Akiba discloses all of the limitations of the claimed invention, except for the second circuit being a control circuit controlling the first circuit. JP shows a second circuit that controls a first circuit.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a second circuit controls a first circuit, as taught by JP, employed in the printed circuit board of Akiba in order to facilitate control voltage to a power supply of a circuit board.

As to claims 22-24, Akiba et al. discloses the device as shown in figure 1 the circuit board comprises two or more layers (column 18, line 33) disposed between the first and second sides, and the first ground plane (15) is disposed on one of the two or more layers (S1, V1, and S2) and the second ground plane (21) is disposed on another of the two or more layers (S3, V2, and S4).

Allowable Subject Matter

5. Claims 7 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1-7, 11-13, 16-18, and 22-24 have been considered but are moot in view of the new ground(s) of rejection.

Applicant arguments are persuasive to overcome the Iwane reference. However, the new ground rejection makes moot the arguments.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 571-272-1929. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tuan Dinh
November 23, 2004.


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